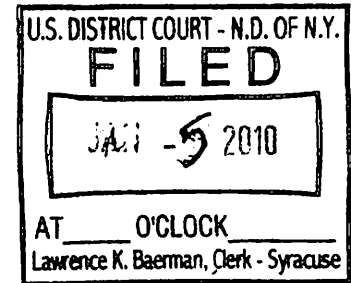


**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**



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**ECOR SOLUTIONS, INC. f/k/a ERM C&O  
SERVICES, INC.,**

**Plaintiff,**

**-against-**

**Civil Action No.: 02-CV-1103**

**MALCOLM PIRNIE, INC. and  
DAVID R. HISS,**

**Defendants.**

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**STIPULATION OF VOLUNTARY DISMISSAL  
PURSUANT TO F.R.C.P. 41(a)(1)(ii)**

**WHEREAS** the above captioned action is now pending in the United States District Court for the Northern District of New York, bearing Civil Action No.: 02-CV-1103, and

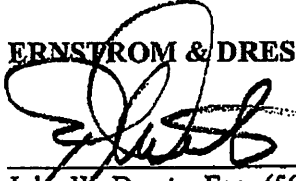
**WHEREAS** no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action,

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned, the attorneys of record for all parties to the above-entitled action, that Plaintiff ECOR's First Amended Complaint dated April 11, 2006 as against Defendants Malcolm Pirnie, Inc. and David R. Hiss, individually is dismissed with prejudice; and that neither party shall be awarded costs or disbursements; and that this Stipulation may

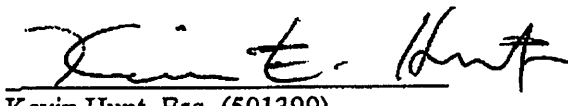
be signed via facsimile and in counterpart and may be so submitted to the Court without further notice to the Clerk of the Court.

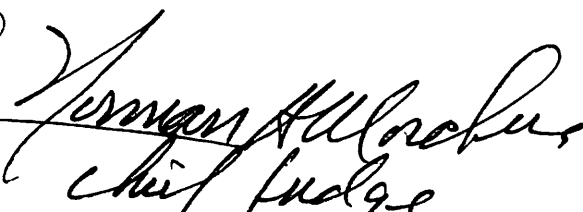
Dated: 1/4, 2010  
Rochester, New York

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*Attorneys for Defendants*  
*Malcolm Pirnie, Inc. and*  
*David R. Hiss*

So Ordered:   
chief judge  
1-5-10